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DATING LETTER

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IN, R.M.

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IP, M.G.

JARR, B.

DOE, G.B.

MAN, J.

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HDE, M.H.

ENT, D.

PHIL, W.E.

IS, J.J.

ASON, T.W.

N, H.L.

P, B.G.

MDN, R.B.

RIER, R.J.

HART, F.A.

W, Y.E.

GER, S.

W.C.

JTO, B.G.

SSBURGER

KEN, K.T.

EL, Y.

READES, M.

S, D.B.

MAN, G.M.

CHESKI, B.

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MEYER, R.M.

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REGION VIII

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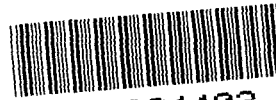
999 18th STREET - SUITE 500 S.D.O.E.
DENVER, COLORADO 80202-2750 C.-MAILROOM

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Ref: SHWM-FF

Mr. Richard Schassburger
Department of Energy
Rocky Flats Office
P.O. Box 928
Golden, CO 80402-0928



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re: Environmental Evaluations

Dear Mr. Schassburger:

As we discussed at the last IAG managers meeting, CDH and EPA have been discussing the proper role of Environmental Evaluations (EEs) in OUs scheduled for Phase I RFI/RI studies in support of RCRA closure. Our review of OU 4 and 7 documentation recently submitted indicates EG&G and their contractors are operating on the assumption that a complete EE is required as part of the Phase I RFI/RI report. CDH and EPA have concluded that this is not necessary for OUs 4 and 7, and may not be required for other RCRA closure OUs, but these should be discussed individually as plans for field work and the comprehensive risk assessment proceed. We hope that scheduling problems reportedly arising from attempts to include complete EEs in these submittals can thus be alleviated.

Our interpretation of the IAG, NCP, and RCRA closure requirements is the basis for our position. OUs 4 and 7 are both set up in the IAG for a two-phase RFI/RI, with the first phase of investigation designed to support closure of the unit. The closure action is to be conducted as an IM/IRA. Since this is not a final action, the EE requirements under CERCLA are only applicable to the extent they are appropriate to the situation. The RCRA closure process does not contain any similar EE requirements. Little if any undisturbed habitat remains in OUs 4 and 7. Major portions of the closure actions, such as capping the landfill, are not discretionary and will substantially alter existing conditions. Under these circumstances, the prudent course of action is to establish pre-closure conditions by implementing the EE field sampling plans (as modified based on our comments) so this information will be available to support eventual final decisions. This data should be recorded and preserved properly but need not be written up in a formal EE for the Phase I RFI/RI reports.

Our review of the OU 4 and 7 documents indicates that OU 7 EE data collection has already been integrated with OU 6. The data scheduled for collection appears appropriate, and could

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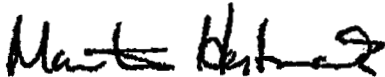
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readily be incorporated in a "drainage basin" EE for Walnut Creek, an approach that is being considered in the comprehensive risk assessment discussions. We recommend you continue with the OU 7 program as planned, but remove the link between the EE and the Phase I RFI/RI report from your scheduling. The OU 4 EE sampling program should be modified to address regulatory review comments and likewise should not be linked to the Phase I report in your schedules.

It is our understanding that an abbreviated approach to EES for other OUs within the Industrial Area (OUs 8, 9, 10, 12, 13, 14) was established based on the OU 9 Workplan. We still support this approach, which limits efforts to habitat surveys and establishing baseline conditions. This leaves open the question of how to handle OU 11. Since you are reportedly re-thinking your approach to this OU, we suggest discussing the specifics of that question at the appropriate time with the OU managers. In general, it appears it could be handled similarly to OU 7.

We will continue to work with appropriate members of your staff to expeditiously resolve any outstanding questions on the requirements for EEs. If you have questions or would like to discuss the progress of this effort, please contact Bill Fraser (EPA) at 294-1081 or Joe Schieffelin (CDH) at 692-3356.

Sincerely,



Martin Hestmark, EPA
Manager
Rocky Flats Project



Gary Baughman, CDH
Chief, Facilities Section
Hazardous Waste Control
Program

cc: Scott Grace, DOE
Joe Schieffelin, CDH
R.L. Benedetti, EG&G